

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

HOPE L. THOMMES,

Plaintiff,

v.

WELLS FARGO HOME
MORTGAGE SERVICING, INC.,

Defendant.

NO: CV-11-446-RMP

ORDER OF DISMISSAL WITHOUT
PREJUDICE

A Notice of Removal was filed in the above-captioned cause on December 2, 2011. ECF No. 1. On December 9, 2011, the Defendant filed a Joint Motion for Extension of Time to File an Answer, ECF No. 8, which was granted by this Court in a text-only order, ECF No. 11, extending the deadline to file an Answer to January 31, 2012. To date, the Defendant has failed to file an Answer.

On March 8, 2012, the Court entered an order setting a twenty-one day deadline for Plaintiff to file a motion for entry of a clerk's default against defendant and informing Plaintiff that failure to file a timely motion for entry of a

ORDER OF DISMISSAL WITHOUT PREJUDICE ~ 1

1 clerk's default will result in dismissal without prejudice of the claims against
2 Defendant. ECF No. 12.

3 Plaintiff has failed to move for an entry of clerk's default. Accordingly, **IT**
4 **IS HEREB ORDERED:**

- 5 1. Plaintiff's Complaint and any and all counterclaims and/or cross-claims
6 are dismissed **without** prejudice and without costs to any party.
- 7 2. All pending motions, if any, are **DENIED AS MOOT**.
- 8 3. All scheduled court hearings, if any, are **STRICKEN**.

9 The District Court Clerk is directed to enter this Order, provide copies to
10 counsel, and **CLOSE** this file.

11 **DATED** this 11th day of April 2012.

12
13 s/ Rosanna Malouf Peterson
14 ROSANNA MALOUF PETERSON
15 Chief United States District Court Judge
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